

From: Craig Jungers
To: Microsoft ATR
Date: 12/10/01 1:46am
Subject: Microsoft Settlement

I certainly hope that the existing settlement with Microsoft can and will be altered to better protect the open source/free software community.

In particular, I am concerned that unless MS is required to adhere to standards in a more strict way than they have in the past (when, as with Java, they embraced the standard and then extended it to the point where parts of it became proprietary). As a recent example, MS "upgraded" its MSN home page to make it unusable unless the user was using Microsoft Internet Explorer. When they were attacked for this, MS claimed that the other browsers didn't conform to the W3C protocol. In actual fact, it was MS which did not conform to this open standard.

By simply controlling the sheer numbers of desktops in the world, MS is able to change things to make it more likely that people will choose its products (which, by the way, are not produced for certain open source operating systems) over competitors' products because consumers will be afraid that the competition may not work on MS-controlled sites.

This sort of behavior is typical of the way MS uses its position in the marketplace to control that same marketplace to its own advantage.

I am also in favor of requiring that some MS proprietary protocols (in particular the SMB protocol which is used for file sharing) be released into the public domain. This protocol (which is called SAMBA in the unix/linux world) has allowed businesses to share files which are mounted on servers running competitive operating systems with users running workstations running MS operating systems. SAMBA was only produced by reverse engineering (legally) the way MS's SMB works and then producing a license-free work-alike of that process. The ongoing and continual fear among those of us who utilize SAMBA is that MS will change it in some basic way so that it will become unusable and clients will be forced to use MS products to share files with MS workstations at much greater expense and at much greater profit to MS.

I firmly believe that the dissenting States are absolutely correct when they state that unless MS is held accountable for its actions in a specific way, the computer industry will be reduced to a single solution controlled absolutely by Bill Gates.

For this reason I ask the Court to examine via the hearing process the remedies proposed by the DoJ rather than accept what is in effect a political rather than a legal solution.

Very truly yours,
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